

## **RANs, FAANs, SAANs, BANs... and GO Bonds:**

### *Understanding Municipal Debt*

The decision to borrow money can be intimidating. To make matters more uncertain, the mechanics of issuing debt may be the least understood financial process among citizens, local officials and even some professional staff. Generally known is the statutory requirement that a town meeting, or a city council, can authorize borrowing only by two-thirds vote. State law also specifies what expenditure purposes may be funded through debt and the allowed duration of the borrowing term ([M.G.L. Ch. 44](#)). The terms of a borrowing are made final when a majority of the board of selectmen, or the mayor, affix their signature to required documentation. However, between authorization and issuance much more occurs with little notice outside the treasurer's office.

In the narrative that follows, we hope to provide some clarity. Discussed will be typical reasons why municipalities borrow and the borrowing vehicles that are available. The players who are a part of the process are described, as well as the process itself.

Communities in Massachusetts have an ongoing responsibility to create and maintain capital assets. Hopefully, decisions of this nature are based on a capital improvement plan developed through analysis and prioritization of the community's needs. Beyond a role in funding capital improvements related to buildings, infrastructure and equipment, it is the treasurer's responsibility to maintain sufficient cash balances to meet the spending demands of departments, within the limits of appropriations. Occasionally, some communities also find themselves in need of a short-term infusion of cash for either capital or operating purposes. For these and other reasons, Massachusetts General Law authorizes cities and towns to issue debt under certain circumstances and for various durations.

Often, the reasons for borrowing will dictate the type of debt a community chooses to take on. This is because some vehicles are better suited than others, depending on the nature of the need for funds. To make the discussion simpler, we can conceive of municipal debt as essentially falling into two categories: short-term and long-term.

### **SHORT-TERM DEBT**

Short-term debt can be classified best as borrowing through the issue of notes in anticipation of either paying them off or permanently financing the debt. Short-term borrowing also allows communities to make interest-only payments. However, such debt usually has a maturity date of no more than two years and, in some cases, statute dictates a shorter timeframe. Additionally, a community might choose to re-issue short-term debt and/or make principal payments under certain circumstances. The various types of short-term debt vehicles used in Massachusetts include the following:

*Revenue Anticipation Notes (RANs)* – These notes, issued for a maximum of one-year, are used to stabilize cash flow when the treasurer's cash balances are low or forecast to go negative ([M.G.L. Ch. 44, §4](#)). The notes are issued to fill a cash need, usually until quarterly/semi-annual tax payments or local aid distributions from the Commonwealth are received.

*Federal and State Aid Anticipation Notes (FAANs and SAANs)* – These notes are issued to fund spending in anticipation of grant receipts, with the expectation that the note will be paid-off upon receiving federal, state or other funds (e.g. Chapter 90 highway project reimbursements).

*Bond Anticipation Notes (BANs)* – These notes are issued to provide funding for capital improvements. BANs are usually paid-off with the proceeds of long-term financing instruments such as general obligation bonds. However, state law allows for BANs to be re-issued for up to five years if principle payments are made in accordance with an amortization schedule that would be required if the outstanding balance had been financed as long-term debt ([M.G.L. Ch. 44, §17](#)). Since short-term debt normally carries a lower interest rate than permanent, this strategy may make sense under certain circumstances.

### LONG-TERM DEBT

Permanent financing vehicles, i.e. municipal bonds, are typically issued when market conditions make it advantageous to lock-in a fixed interest rate or when further refunding of short-term debt is no longer an option due to statutory time limits. The various purposes for which borrowing is permitted are expressly outlined by [M.G.L. Ch. 44, §§7 & 8](#).

Nationwide, general obligation (GO) bonds are by far the most prevalent form of long-term municipal debt. This is especially true in Massachusetts. GO bonds are backed by the full faith and credit of a municipality. They are issued for periods ranging from five to thirty years depending on limitations established by state law.

Additional vehicles for long-term debt do exist. Examples include pension obligation, revenue, conduit, special tax, and limited obligation bonds. However, these complex options, while more common in other states, are almost never issued by communities in Massachusetts. Such debt vehicles are suited to very specific or unique financing purposes that would require special legislation or state approval in most instances.

### AVAILABLE STATE PROGRAMS

Additional borrowing options for communities offered by the Commonwealth include state qualified bonds and the statehouse notes program.

*State Qualified Bonds* – A financing alternative unique to Massachusetts, qualified bonds are for municipalities that have marginal credit ratings. The State Treasurer pays the debt service for GO bonds directly from a community's local aid, reinforcing the security of the bond and improving its marketability, thus reducing the cost of borrowing. Qualified bonds are only authorized by the Municipal Oversight Board upon application by a city, town or regional school district under [M.G.L. Ch. 44A](#).

*State House Notes Program* – State House Notes are certified by the Director of Accounts and payable annually. They are usually limited to maturities of five years and principal amounts of \$1 million. The notes are attractive, more often to smaller communities, because certification fees are low, neither an official statement nor full disclosure is required, and they are issued in a short period of time. Information about the State House Notes Program can be obtained by contacting the Public Finance Section at the Division of Local Services.

### FINANCIAL ADVISOR

The intricacies and nuances of borrowing options available to cities and towns can give rise to many questions and decisions for municipal officials. For this reason, it makes sense for communities to utilize the services of a Massachusetts-based financial advisor. While helpful at any phase of the borrowing process, the expertise of an advisor is most useful in considering the various options available to a community for structuring debt and navigating procedures associated with the sale. A financial advisor can assist communities in considering the following:

- Choosing between the various debt instruments available.
- Deciding between a competitive vs. negotiated sale.
- Communicating information to bond rating agencies.
- Analyzing the debt service impacts of various repayment schedules.
- Determining the short and long-term costs of purchasing bond insurance.

In addition to the number of specialized firms which provide financial advisory services to large and mid-size municipalities, for smaller communities, the Public Finance Section at the Division of Local Services can also provide guidance on the debt issuance process.

### CREDIT RATING AGENCIES

In Massachusetts, nearly all communities that carry bond ratings are evaluated by at least one of two rating agencies (Moody's Investors Service and Standard & Poor's). Some communities will seek ratings from both firms. While the ratings process tends to appear shrouded in mystery for some, it is important to remember that the city or town is a client of the rating agencies who, for their part, render a third party opinion on the municipality's likelihood of default.

In conducting their assessment, rating agencies will perform analyses of financial statements, management capability, fiscal stability, economic condition and other data. The process will often include an in-person or telephone interview with municipal finance officials. On less frequent occasions, ratings analysts will make a site visit to a city or town in an effort to gain a more substantial understanding of community assets and management's capabilities. Later, the rating will be assigned and published in a concise written report describing the community's financial position. Those who purchase municipal bonds and notes will use this rating when considering their bids. Typically, the better rated credits will garner lower interest rate charges.

### BOND COUNSEL

Another participant in the issuance phase is the community's bond counsel. Bond counsel is an attorney or law firm engaged to review and submit an opinion on the legal aspects of a municipal bond or note issue. Bond counsel confirms that a borrowing has met all legal prerequisites before it is put to bid on the open market by examining required documentation (e.g. signed and sealed copies of city council or town meeting votes). If bond counsel determines that a debt issue does not meet legal sufficiency, corrective action needs to be taken by city or town officials. This may include going back to town meeting or the city council for debt authorization or other cumbersome, not to mention embarrassing, requirements. Therefore, it is helpful to consult bond counsel throughout the authorization phase, as well as prior to issuance.

### TYPICAL CHRONOLOGY

After authority to raise money through debt is granted by city council or town meeting, actual issuance of notes or bonds may occur months, or even years, later. For this reason, it is good practice for local finance officials to meet periodically to review borrowings that have been authorized, but not issued, to make sure that the debt position of the community is understood by all.

Once the structure of a borrowing has been determined, a preliminary official statement (POS) is developed under direction of the treasurer and disseminated to the bond market community. The POS will also be used by rating agencies in their analysis of credit worthiness. Both the POS and the final Official Statement (OS) are documents prepared for potential investors that contain information about a prospective bond or note issue and financial data about the city or town. The OS is sometimes referred to as an offering circular or prospectus.

After all of the preliminary work has been done and the various experts (e.g. bond counsel, rating agencies) have weighed-in on the sale, the bonds or notes are sold to underwriters or broker syndicates and, ultimately, to investors. Once payment on the purchase has been made, the community has the funds for the specified capital improvement or operating expenditures. To minimize interest costs, or more efficiently assemble borrowing packages, treasurers should always communicate with the department head, who will oversee a project or purchase, to better understand when funds will be needed.

By taking a deliberate and thoughtful approach toward debt, cities and towns can optimize their borrowing practices to better maintain capital assets and minimize costs. Having a basic understanding of the process is key and making use of the knowledge of investment professionals improves a community's odds of success.

For more information on the various aspects of municipal debt and other topics discussed in this article, visit the Division of Local Services website at [www.mass.gov/dls](http://www.mass.gov/dls) and follow links to the Technical Assistance Section's "Best Practices," the Bureau of Accounts' Public Finance Section, and a glossary of municipal finance terms. Additional information is also available in the Treasurer's Manual published online by the Massachusetts Collectors and Treasurers Association at [www.masscta.com](http://www.masscta.com).